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PATENT

IN THE UNITED STATES
PATENT AND TRADEMARK OFFICE

Patent No.: 6,272,933 B1)
Applicant: GRADON et al.)
Issued: August 14, 2001)
For: "RESPIRATORY)
HUMIDIFICATION SYSTEM")
Examiner: D. Loo)
Art Unit: 2856)
Attorney Docket No.:)
1171/36576A/56A-DIV)

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on June 3, 2004.

Tiffany E. Sexton
Tiffany E. Sexton

Certificate
JUN 14 2004
of Correction

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CERTIFICATE OF CORRECTION

Mail Stop: Corrections
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

On March 18, 2004, Patentee submitted a "Certificate of Correction", copy enclosed as Exhibit 1, to the United States Patent and Trademark Office requesting the foreign priority data be added to the front of the above-identified United States Patent No. 6,272,933 B1 (herein "the '933 divisional patent").

On April 13, 2004, Patentee received a notice dated April 6, 2004 denying its request for said "Certificate of Correction" because "none of the certified copies of the priority documents have been received," copy enclosed as Exhibit 2.

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Patentee hereby respectfully requests reconsideration of the denial in view of the further information provided herein and issuance of the Certificate of Correction enclosed as Exhibit 1.

As referenced on the front page of the '933 divisional patent and in the first line of the specification of the '933 divisional patent, the '933 divisional patent is a divisional of United States patent application Serial No. 09/097,832, now United States Patent No. 6,349,722 (herein "the '832 parent application"). The '832 parent application and the '933 divisional patent claim the same foreign priority, i.e., NZ 328116 dated 6/17/97 and NZ 330295 dated 4/27/98. The certified copies of NZ 328116 dated 6/17/97 and NZ 330295 dated 4/27/98 were submitted on July 23, 1998 (this is even before the filing of the '933 divisional patent) and subsequently accepted in the '832 parent application. Enclosed as Exhibit is a copy of the "Transmittal of Priority Documents" which were filed with the United States Patent and Trademark Office on July 23, 1998 for the '832 parent application as well as a copy of the cover page NZ 328116 dated 6/17/97 and NZ 330295 dated 4/27/98.

In addition, enclosed as Exhibit 4 is a copy of the front page of the '832 parent application as issued as United States Patent No. 6,349,722. This document clearly shows the foreign priority documents.

Under United States Patent law, an Applicant is not required to resubmit the certified copies of the foreign priority documents in divisional applications. Perfection of the priority in the parent application carries through to any "child" applications, such as the present divisional application, '933 divisional patent.

Therefore, even though the Examiner stated in the Notice of Allowability that the none of the certified copies of the priority documents had been received, the Examiner was in

error. This error will be clear upon an inspection of the '832 parent application which forms part of the file of the '933 divisional patent.

Therefore, Patentee hereby respectfully requests that the denial be withdrawn and the Certificate of Correction is issued to reflect the foreign priority data.

A check in the amount of \$100.00 is enclosed herewith. If, however, the check is missing or insufficient the Commissioner is hereby authorized and requested to charge said fee to Deposit Account No. 20-1495.

Should there be any questions regarding this Communication, please contact one of the undersigned attorneys at (312) 704-1890.

Respectfully submitted,

Dated: June 3, 2004

By: Raiford A. Blackstone, Jr.
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